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NOTICE OF ALLOWANCE AND FEE(S) DUE

45979	7590	12/16/2008

PERKINS COIE LLP/MSFT
P. O. BOX 1247
SEATTLE, WA 98111-1247

EXAMINER
CHOU, ALAN S

ART UNIT	PAPER NUMBER
2451	

DATE MAILED: 12/16/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,999	06/26/2003	Vishwajith Kumbalimutt	418268786US	5124

TITLE OF INVENTION: METHOD AND SYSTEM FOR DISTRIBUTING LOAD BY REDIRECTING TRAFFIC

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	$1510	$300	$0	$1810	03/16/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PTOL-85 (Rev. 08/07) Approved for use through 08/31/2010.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail**   Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

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Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

_____ (Depositor's name)

_____ (Signature)

_____ (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,999	06/26/2003	Vishwajith Kumbalimutt	418268786US	5124

TITLE OF INVENTION: METHOD AND SYSTEM FOR DISTRIBUTING LOAD BY REDIRECTING TRAFFIC

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nonprovisional	NO	$1510	$300	$0	$1810	03/16/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
CHOU, ALAN S	2451	709-203000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

❑ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

❑ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 _____

2 _____

3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) :   ❑ Individual ❑ Corporation or other private group entity ❑ Government

4a. The following fee(s) are submitted:

❑ Issue Fee

❑ Publication Fee (No small entity discount permitted)

❑ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

❑ A check is enclosed.

❑ Payment by credit card. Form PTO-2038 is attached.

❑ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

❑ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

❑ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____   Date _____

Typed or printed name _____   Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
CHOU, ALAN S

ART UNIT	PAPER NUMBER
2451	

DATE MAILED: 12/16/2008

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 1215 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 1215 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

PTOL-85 (Rev. 08/07) Approved for use through 08/31/2010.

	Application No.	Applicant(s)
Notice of Allowability	10/606,999	KUMBALIMUTT ET AL.
	Examiner	Art Unit
	ALAN S. CHOU	2451

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address*--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to <u>9/25/2008</u>.

2. ☒ The allowed claim(s) is/are <u>11-14, 16-20, 33 and 34</u>.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

       a) ☐ All   b) ☐ Some*   c) ☐ None   of the:

           1. ☐ Certified copies of the priority documents have been received.

           2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

           3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the
             International Bureau (PCT Rule 17.2(a)).

      * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

     (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

          1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

     (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of
        Paper No./Mail Date _____ .

     Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08),
     Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit
     of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☐ Interview Summary (PTO-413),
     Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

Claims 11-14, 16-20, 33, 34 are allowed.

EXAMINER'S AMENDMENT

1.   An examiner's amendment to the record appears below. Should the changes

and/or additions be unacceptable to applicant, an amendment may be filed as provided

by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be

submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview

with Mr. Maurice Pirio, Attorney Registration Number 33273 on December 2nd, 2008.

The application has been amended as follows:

Please cancel claim 15.

Please amend claim 11 as:

11.   In a network communications environment comprising at least a first and a

second server client, a client, and a client-to-home-server assignment data structure

specifying assignments of the clients to a server to which clients can subscribe, a

method for changing the distribution of traffic among the servers, the method

comprising:

receiving at the first server a registration request from the client, wherein the registration

request comprises a Session Initiation Protocol Register message;

determining at the first server a server with which the client is assigned to work based

on the client-to-home-server assignment data structure;

when the determined server is the first server, processing the registration request at the first server;

when the determined sever is the second server, checking a number of Via headers in the registration request, the number of Via headers indicating how many times the registration request has been forwarded; and if the number of Via headers is one, then sending a request from the first server to the client redirecting the client to work with the second server;

else if the number of Via headers is greater than one, then proxying from the first server the client's registration request to the second server so that the second server processes the registration request;

setting up a subscription by a watcher to a current server;

monitorinq the distribution of traffic among the servers;

determining that a change in the distribution of traffic could be beneficial;

modifying the client-to-home-server assignment data structure to reflect a change in assignment of the client from the current server to a new server; and

sending a notification to the watcher of the change in assignment so that the watcher can set up a new subscription.

Please amend claim 20 as:

20.   A computer-readable storage medium containing computer-executable

instructions for performing a method for a first server to redirect traffic, the method

comprising:

receiving a registration request from a client, wherein the registration request comprises

a Session Initiation Protocol Register message;

determining a server with which the client is assigned to work;

when the determined server is the first server, processing the registration request at the

first server; and

when the determined sever is a second server, checking a number of Via headers in the

registration request; and

if the number of Via headers is one, then sending a request to the client, redirecting the

client to work with the second server;

else if the number of Via headers is greater than one, then proxying the client's

registration request to the second server.

Please amend claim 33 as:

33.   In a network communications environment, a system for redirecting traffic among

servers, the system comprising:

a home server directory service;

a client configured for requesting an identification of a home server from the home

server directory service, for receiving a home server identification in response, and for

sending a registration request to the identified home server, the registration request

including a number indicating how many times the registration request has been

forwarded, wherein the registration request comprises a Session Initiation Protocol

Register message;

the identified home server comprising a client-to-home-server assignment data

structure, the identified home server configured for receiving the registration request

from the client, for querying the client-to-home-server assignment data structure to

determine a home server with which the client is assigned to work, for processing the

registration request at the home server when the determined server is the home server,

and for checking the number when the determined server is not the home

server, and the home server with which the client is assigned to work

wherein if the number is one, the identified home server is configured to send a request

to the client redirecting the client to work with the home server with which the client is

assigned to work, and else if the number is greater than one, the identified home server

is configured for proxying the client's registration request to the home server with which

the client is assigned to work.

Please amend claim 34 as:

34.   In a network communications environment, a system for redirecting traffic among

servers, the system comprising:

a home server directory service;

a client configured for requesting an identification of a home server from the home

server directory service, for receiving a home server identification in response, and for

sending a registration request to the identified home server, wherein the registration

request comprises a Session Initiation Protocol Register message;

the identified home server comprising a client-to-home-server assignment data

structure, the identified home server configured for receiving the registration request

from the client, for querying the client-to-home-server assignment data structure to

determine a home server with which the client is assigned to work, for checking a

number of Via headers in the registration request, and, if the number of Via headers is

one, for sending a request to the client redirecting the client to work with the home

server with which the client is assigned to work, else if the number of Via headers is

greater than one, for proxying the client's registration request to the home server with

which the client is assigned to work; and the home server with which the client is

assigned to work.

REASON FOR ALLOWANCE

        The following is an examiner's statement of reasons for allowance: The prior art

of record fails to teach neither singly nor in combination, the claimed limitation of the

use of "receiving a registration request from a client, wherein the registration request

comprises a Session Initiation Protocol Register message; determining a server with

which the client is assigned to work; when the determined server is the first server,

processing the registration request at the first server; and when the determined sever is

a second server, checking a number of Via headers in the registration request; and if

the number of Via headers is one, then sending a request to the client, redirecting the

client to work with the second server; else if the number of Via headers is greater than

one, then proxying the client's registration request to the second server" as stated in

claims 11, 20, 33, and 34. This limitation, in conjunction with other limitation in the

independent claims, is not specifically disclosed or remotely suggested in the prior art or

record.

Any comments considered necessary by applicant must be submitted no later

than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on

Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to ALAN S. CHOU whose telephone number is (571)272-

5779. The examiner can normally be reached on 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John A. Follansbee can be reached on (571)272-3964. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John Follansbee/   ALAN S CHOU
Supervisory Patent Examiner, Art Unit 2451   Examiner
                                                      Art Unit 2451

AC